

REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks and the above amendments. This response is believed to fully address all issues raised in the Office Action mailed September 9, 2008. Furthermore, no new matter is believed to have been introduced hereby.

Claims 1-21 were previously pending and remain pending as amended above.

Initially, it is respectfully submitted that amendments to the claims are based on language present in previously pending claims (or to merely address the rejections under 35 USC §101 and 112) and do not necessitate new grounds for rejection. Hence, it is respectfully requested that if a next Office Action raises new grounds for rejection, it not be made final pursuant to MPEP 706.

35 USC § 101 Rejection of the Claims

Initially, the undersigned would like to thank Examiner Truong for indicating withdrawal of rejection of claim 17 under 35 USC §101. As detailed above, claims 18-21 have also been amended to replace “machine readable medium” with “storage device”. Accordingly, these rejections are believed to be moot.

35 USC § 112 Rejection of the Claims

Claims 1-21 were rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement.

In particular, the Action states that the language “irrespective of the recipient’s email address” raises concerns. Without limiting the scope of embodiments of the invention, only in an effort to impart precision to the claims (e.g., by more particularly pointing out embodiments of the invention, rather than to avoid prior art), and merely to expedite the prosecution of the present application, Applicant has removed this text from all independent claims as detailed above. Accordingly, these rejections are moot.

35 USC § 103 Rejection of the Claims

Claims 1-11 and 17-21 were rejected under 35 USC § 103(a) as being unpatentable over Gupta et al. (U.S. Publication No. 20020099777) in view of Chaudhari et al. (U.S. Patent No. 7039951) and further in view of Spraggs (U.S. Patent No. 6941454).

Claims 12-16 were rejected under 35 USC § 103(a) as being unpatentable over Gupta et al. (U.S. Publication No. 2002/0099777), Chaudhari et al. (U.S. Patent No. 7,039,951), Spraggs (U.S. Patent No. 6,941,454) in view of Bennett (U.S. Patent No. 6760704).

Each of these rejections is respectfully traversed since the cited art, alone or in combination, fails to teach or suggest the claimed combination of features such as set forth in any of the pending claims.

In particular, Applicant respectfully submits that reliance on the Bennett (U.S. Patent No. 6760704) for a 35 U.S.C. §103 rejection is inappropriate. In particular, the present application and Bennett were, at the time the invention of the present application was made, commonly owned by Intel Corporation. Accordingly, pursuant to 35 U.S.C. §103(c) and MPEP §706.02, the rejection of claims 12-16 should be withdrawn.

To this end, without limiting the scope of embodiments of the invention, only in an effort to impart precision to the claims (e.g., by more particularly pointing out embodiments of the invention, rather than to avoid prior art), and merely to expedite the prosecution of the present application, Applicant has amended independent claim 11 to in part recite “, wherein the user interface further comprises a first set of confidentiality levels from which a user is to select” (e.g., based on at least a portion of claim 12).

More particularly, in rejecting claim 12, the Action states:

However, Gupta-Chaudhari- Spraggs does not explicitly disclose set of confidential levels for the user to select.

In analogous art, Bennett discloses user can prompt sensitive condition for message, see (Bennett, column 10, lines 6-11).

Hence, claim 11 recites a portion of claim 12 that is allowable in accordance with 35 USC §103(c).

The remaining independent claims recite similar (though not identical) language and have been rejected for similar reasons as claim 1. Hence, these remaining independent claims should be allowable for at least similar reasons as claim 1, as well as additional or alternative elements that are recited therein but not shown in the cited prior art. Also, all pending dependent claims should be allowable for at least similar reasons as their respective independent claims, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (303-800-6678) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,

CUSTOMER NUMBER: 50890

Telephone Number: 303-800-6678

Date May 11, 2009

By /Ramin Aghevli – Reg. No. 43,462/
Ramin Aghevli
Reg. No. 43,462